

110TH CONGRESS
1ST SESSION

S. 1600

To establish an energy technologies innovation network, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2007

Mr. HAGEL introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish an energy technologies innovation network, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ENERGY-RELATED RESEARCH AND DEVELOP-**
4 **MENT.**

5 (a) FINDINGS.—Congress finds that—

6 (1) information and opinions provided by indi-
7 viduals and entities of the academic and industrial
8 sectors should be an important consideration with
9 respect to energy-related research and development
10 activities carried out by the Federal Government;

1 (2) in carrying out energy-related research and
2 development activities, the Federal Government
3 should regularly seek input from multiple sources,
4 including the industrial sector, academia, and other
5 relevant sectors;

6 (3) research is better focused around well-de-
7 fined problems that need to be resolved;

8 (4) a number of potential problems to be re-
9 solved are likely to require input from a diverse se-
10 lection of technologies and contributing sectors;

11 (5) sharing of information relating to energy re-
12 search and development is important to the develop-
13 ment and innovation of energy technologies;

14 (6) necessary intellectual property protection
15 can lead to delays in sharing valuable information
16 that could aid in resolving major energy-related
17 problems;

18 (7) the Federal Government should facilitate
19 the sharing of information from a diverse array of
20 industries by ensuring the protection of intellectual
21 property while simultaneously creating an environ-
22 ment of openness and cooperation; and

23 (8) the Federal Government should revise the
24 methods of the Federal Government regarding en-
25 ergy-related research and development to encourage

1 faster development and implementation of energy
2 technologies.

3 (b) DEFINITIONS.—In this section:

4 (1) NETWORK.—The term “network” means
5 the Energy Technologies Innovation Network estab-
6 lished by subsection (d)(1).

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of Energy.

9 (3) SURVEY.—The term “survey” means a sur-
10 vey conducted pursuant to subsection (c).

11 (c) ENERGY-RELATED RESEARCH AND DEVELOP-
12 MENT PRIORITIES.—

13 (1) IN GENERAL.—Not less frequently than
14 once every 5 years, the Secretary shall conduct a
15 survey in accordance with this subsection to deter-
16 mine the 10 highest-priority energy-related problems
17 to resolve to ensure the goals of—

18 (A) maximizing the energy security of the
19 United States;

20 (B) maximizing improvements in energy
21 efficiency within the United States; and

22 (C) minimizing damage to the economy
23 and the environment of the United States.

24 (2) SURVEY.—

1 (A) IN GENERAL.—Each survey shall con-
2 tain a request that the respondent shall list, in
3 descending order of priority, the 10 highest-pri-
4 ority energy-related problems that, in the opin-
5 ion of the respondent, require resolution as
6 quickly as practicable to ensure the goals de-
7 scribed in paragraph (1).

8 (B) ANNOUNCEMENT.—The Secretary
9 shall announce the existence of each survey
10 by—

11 (i) publishing an announcement in the
12 Federal Register; and

13 (ii) placing an announcement in a
14 prominent position on the homepage of the
15 website of the Department of the Energy.

16 (C) AVAILABILITY.—The Secretary shall
17 ensure that each survey is made available—

18 (i) in an electronic format only
19 through a link on the Department of En-
20 ergy website;

21 (ii) for a period of not less than 21
22 days and not more than 30 days; and

23 (iii) to any individual or entity that
24 elects to participate.

1 (D) ADDITIONAL INFORMATION GATH-
2 ERING.—Each survey—

3 (i) shall require each respondent to
4 provide information regarding—

5 (I) the age of the respondent;

6 (II) the occupational category of
7 the respondent;

8 (III) the period of time during
9 which the respondent has held the
10 current occupation of the respondent;
11 and

12 (IV) the State and country in
13 which the respondent resides; and

14 (ii) may request, but shall not re-
15 quire—

16 (I) the name of the respondent;

17 (II) an identification of the em-
18 ployer of the respondent;

19 (III) the electronic mail address
20 of the respondent; and

21 (IV) such other information as
22 the Secretary determines to be appro-
23 priate.

1 (E) RESPONDENTS.—The Secretary shall
2 seek responses to a survey from appropriate
3 representatives of—

4 (i) the energy, transportation, manu-
5 facturing, construction, mining, and elec-
6 tronic industries;

7 (ii) academia;

8 (iii) research facilities;

9 (iv) nongovernmental organizations;

10 (v) the Federal Government; and

11 (vi) units of State and local govern-
12 ment.

13 (F) NONPOLITICAL REQUIREMENT.—The
14 Secretary shall ensure that each survey is con-
15 ducted, to the maximum extent practicable—

16 (i) in a transparent, nonpolitical, and
17 scientific manner; and

18 (ii) without any political bias.

19 (G) REPORT.—Not later than 180 days
20 after the date on which a survey under this
21 subsection is no longer available under subpara-
22 graph (C)(ii), the Secretary shall submit to
23 Congress and make available to the public (in-
24 cluding through publication in the Federal Reg-

1 ister and on the website of the Department of
2 Energy) a report that—

3 (i) describes the results of the survey;

4 and

5 (ii) includes a list of the 10 highest-
6 priority energy-related problems based on
7 all responses to the survey.

8 (3) EFFECT OF RESULTS ON ENERGY-RELATED
9 RESEARCH AND DEVELOPMENT.—

10 (A) IN GENERAL.—Subject to subpara-
11 graph (B), on receipt of a report under para-
12 graph (2)(G), the Secretary shall ensure that,
13 during the 5-year period beginning on the date
14 of receipt of the report, all energy-related re-
15 search and development activities of the De-
16 partment of Energy are carried out for the pur-
17 pose of resolving, to the maximum extent prac-
18 ticable, the 10 problems included on the list of
19 the report under paragraph (2)(G)(ii).

20 (B) ADDITIONAL PROBLEMS.—In addition
21 to the activities described in subparagraph (A),
22 during the 5-year period beginning on the date
23 of receipt of a report under paragraph (2)(G),
24 the Secretary may carry out, using the same
25 quantity of resources as are allocated to any 1

energy-related problem included on the list of the report under paragraph (2)(G)(ii), energy-related research and development activities for the purpose of resolving, to the maximum extent practicable, 2 additional energy-related problems that—

(i) are not included on the list; and

(ii) are high-priority energy-related problems, as determined by the Secretary.

(d) ENERGY TECHNOLOGIES INNOVATION NETWORK.—

(1) ESTABLISHMENT.—There is established an information and collaboration network, to be known as the “Energy Technologies Innovation Network”.

(2) PURPOSE.—The purpose of the network shall be to provide a forum through which interested parties (including scientists and entrepreneurs) can present, discuss, and collaborate with respect to information and ideas relating to energy technologies.

(3) OPERATION OF NETWORK.—

(A) IN GENERAL.—The Secretary shall offer to enter into a contract, after an open bidding process, with a third party to operate the network.

1 (B) REQUIREMENTS.—The third party se-
2 lected under subparagraph (A) shall—

3 (i) have experience with respect to the
4 establishment and maintenance of a com-
5 prehensive database of Federal research
6 and development projects that is—

7 (I) easily searchable;

8 (II) open to the public; and

9 (III) capable of expansion;

10 (ii) provide a secure electronic forum
11 to enable collaboration among users of the
12 network; and

13 (iii) collaborate with the Secretary to
14 protect the intellectual property rights of
15 individual users and governmental agencies
16 participating in the network in accordance
17 with paragraph (6).

18 (4) REQUIRED CONTRIBUTORS.—Each research
19 laboratory or other facility that receives Federal
20 funding shall provide to the network the results of
21 the research conducted using that funding, regard-
22 less of whether the research relates to energy, sub-
23 ject to the condition that revelation of the research
24 will not adversely effect national security.

1 (5) OTHER CONTRIBUTORS.—Other entities, in-
2 cluding entities in the academic and industrial sec-
3 tors and individuals, may participate in the network
4 to actively contribute to resolving—

5 (A) the energy-related problems included
6 on the list of the report under subsection
7 (c)(2)(G)(ii); or

8 (B) any other energy-related problem that
9 the contributor determines would advance the
10 goals described in subsection (c)(1).

11 (6) PROTECTION OF INFORMATION AND
12 IDEAS.—In collaborating with a third party in oper-
13 ating the network under paragraph (3), the Sec-
14 retary shall employ such individuals and entities
15 with experience relating to—

16 (A) intellectual property as the Secretary
17 determines to be necessary to ensure that—

18 (i) information and ideas presented,
19 and discussed in the network are—

20 (I) monitored with respect to the
21 intellectual property owners and com-
22 ponents of the information or ideas;
23 and

1 (II) protected in accordance with
 2 applicable Federal intellectual prop-
 3 erty law (including regulations);

4 (ii) information and ideas developed
 5 within the network are—

6 (I) monitored with respect to the
 7 intellectual property components of
 8 the developers of the information or
 9 ideas; and

10 (II) protected in accordance with
 11 applicable Federal intellectual prop-
 12 erty law (including regulations); and

13 (iii) contributors to the network are
 14 provided adequate assurances that intellec-
 15 tual property rights of the contributors will
 16 be protected with respect to participation
 17 in the network;

18 (B) setting up, maintaining, and operating
 19 a network that ensures security and reliability.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated such sums as are nec-
 22 essary to carry out this section.

○